

ENDORSEMENT

Apollos Pierre v. Summit Security Services
07 Civ. 2688 (RJH) (HBP)

In the attached letter, the pro se plaintiff gives two reasons for not producing documents: (1) he believes that document production should take place in my presence, and (2) he does not have counsel. Neither is a valid reason for failing to produce documents.


Document production does not take place in the physical presence of the judge. Nothing in the Federal Rules of Civil Procedure requires or even suggests this practice. The Rules contemplate that document production will take place outside of the court's presence, without the court's direct oversight.

The fact that plaintiff does not yet have counsel is simply not a valid reason to withhold documents.

If plaintiff believes some category of documents is either privileged or irrelevant to his claims against defendant, plaintiff can object and withhold production. Unless plaintiff makes such an objection, he should produce the documents requested forthwith.

Dated: New York, New York
July 15, 2008

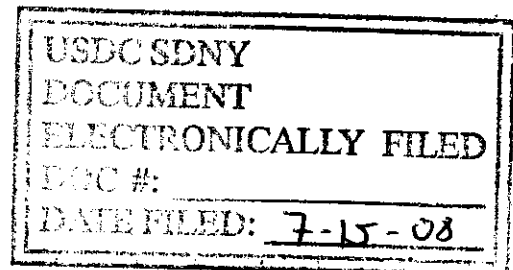
SO ORDERED


HENRY PITMAN
United States Magistrate Judge

Copies mailed to:

Mr. Apollos Pierre
Apt. 24
537-539 West 150th Street
New York, New York 10031

Thomas Herndon, Jr., Esq.
Silverman, Collura & Chernis, P.C.
381 Park Avenue South
New York, New York 10016



APOLLIS PIERRE

537-539 W 150th St #24

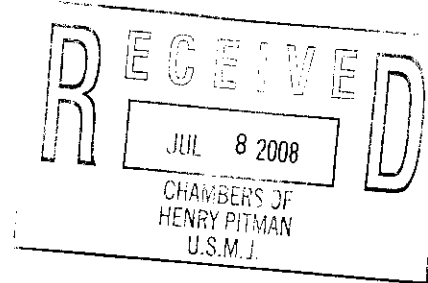
New York NY 10031

June 30, 2008

Chambers of

Henry Pitman

United States Magistrate Judge



Michael CRAIB Byne, Esq

Silverman Collura

381 Park Ave South

New York, NY 10016

Re: APOLLIS PIERRE v. Summit security services
07 Civ. 2688 (RJH)(HBP)

Honorable Judge Henry Pitman,

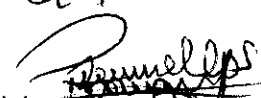
I, APOLLIS PIERRE would like to inform you that the Lawyer of the Defendant Mr. Thomas H. Hendon Jr. asked me the documents of the case. I feel that it is a mistake to give him my documents because

1) I have to do that in your presence.

2) I have no Lawyer yet.

However, if you, Honorable Judge Pitman, ask me to do so, I will automatically comply to your request.

Sincerely


Apollis Pierre



SILVERMAN SCLAR SHIN & BYRNE PLLC

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June 17, 2008

VIA OVERNIGHT MAIL

Apollos Pierre
537-539 West 150th Street
Apt. #24
New York, New York 10031

Re: Apollos Pierre v. Summit Security Services
Our File No.: 1802.016
Civil Case No.: 07cv2688

Dear Mr. Pierre:

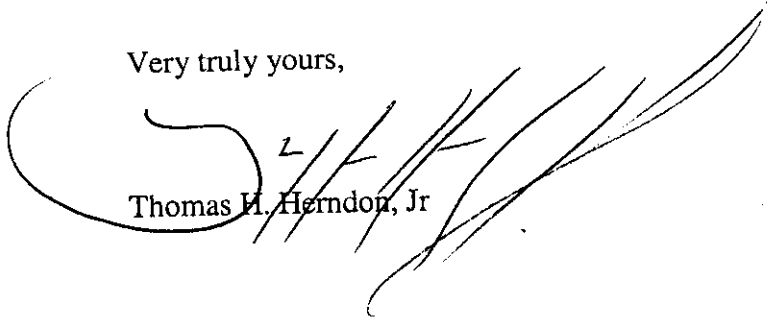
As you know, we represent the defendant Summit Security Services in the above matter.

On March 11, 2008, and April 25, 2008, we served upon you a copy of (i) defendant's First Request for Production of Documents and (ii) defendant's First Set of Interrogatories. It is now June 17, 2008, and you have yet to respond to either of our demands.

If you do not respond to our discovery demands by July 1, 2008, we will be forced to contact the court.

We thank you for your prompt response.

Very truly yours,


Thomas H. Herndon, Jr